

## Message Text

CONFIDENTIAL

PAGE 01 BANGKO 12409 010406Z

13

ACTION EA-14

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-07 H-03 INR-11 L-03

NSAE-00 NSC-07 PA-04 RSC-01 PRS-01 SP-03 SS-20

USIA-15 AID-20 OMB-01 DRC-01 CU-05 EB-11 /128 W

----- 060582

R 010130Z AUG 74

FM AMEMBASSY BANGKOK

TO SECSTATE WASHDC 5537

INFO AMCONSUL CHIANG MAI

AMCONSUL UDORN

CINCPAC HLNOLULU

AMCONSUL SONGKHLA

C O N F I D E N T I A L BANGKOK 12409

CINCPAC FOR POLAD

E.O. 11652: GDS

TAGS: PGOV, PINT, TH

SUBJECT: GOVERNMENT STABILITY AND THE TRIO ASSETS ISSUE

REF: A) FBIS D310230Z JULY 74

B) FBIS D300300Z JULY 74

C) FBIS D300305Z JULY 74

D) FBIS D290334Z JULY 74

E) BANGKOK 12087

F) BANGKOK 12195

G) FBIS D281336Z JULY 74

H) FBIS D271451Z JULY 74

I) FBIS D280522Z JULY 74

J) FBIS D290325Z JULY 74

SUMMARY:

THE IMPASSE BETWEEN THE NATIONAL LEGISLATIVE ASSEMBLY (NLA)

AND THE CABINET OVER THE BILL CALLING ON THE PRIME

MINISTER TO USE ARTICLE 17 TO CONFISCATE THE ASSETS OF THE

CONFIDENTIAL

CONFIDENTIAL

PAGE 02 BANGKO 12409 010406Z

THREE OUSTED LEADERS DRAGS ON. THE CABINET REPORTEDLY

REFLECTED JULY 30 A SERIES OF OPTIONS WHICH ASSEMBLY SPEAKER M.R. KHUKRIT PRAMOT PRESENTED TO THE PRIME MINISTER EARLIER. WHILE THERE MAY BE ANY NUMBER OF SOLUTIONS TO THE IMPASSE IT HAS STIMULATED ANOTHER ROUND OF RESIGNATION RUMORS. CENTRAL TO THE CREDIBILITY OF THESE RUMORS IS THAT THE NLA ACTION IS A POPULAR ONE, BUT ONE WHICH THE THAI MILITARY SEE AS A DIRECT THREAT TO THEIR POSITIONS. THE ENTIRE ESCAPADE ILLUSTRATES THE ASSEMBLY'S BURGEONING ROLE.

END SUMMARY

1. THE CABINET REPORTEDLY REJECTED JULY 30 (REF A) A SERIES OF OPTIONS WHICH NATIONAL LEGISLATIVE ASSEMBLY SPEAKER M.R. KHUKRIT PRAMOT PRESENTED TO PRIME MINISTER SANYA THAMMASAK JULY 29. WHILE THE CABINET (AND SANYA) IS WILLING TO ATTACH ILLEGALLY ACQUIRED PROPERTY OF THE OUSTED LEADERS,

IT DOES NOT WANT TO CONFISCATE ALL THE PROPERTY INDESCRIMINATELY. THE CABINET ALSO WANTS TO MAKE CERTAIN THAT WHATEVER CORRECTIVE COURSE IT TAKES WILL NULLIFY THE CONTROVERSIAL BILL. SANYA REPORTEDLY WILL HOLD TWO MEETINGS JULY 31, FIRST WITH KHUKRIT AND THEN THE CABINET, SOME COMPROMISE (FBIS D310830Z JULY 74).

2. AN EMBASSY OFFICER RECENTLY SPOKE WITH COLONEL SOMKHIT SISANGKHOM; FORMER SOCIAL DEMOCRAT PARLIAMENTARIAN FROM UDORN, WHOSE AMENDMENT ADDED THE CLAUSE DIRECTLY CALLING ON THE PRIME MINISTER TO USE ARTICLE 17. SOMKHIT EXPRESSED BEWILDERMENT OVER THE PRESENT FUROR POINTING OUT THAT THE PRIME MINISTER HAD ALREADY INVOKED ARTICLE 17 TO FREEZE THE ASSETS AND THE NLA WAS ASKING THAT THE SAME AUTHORITY BE USED TO CONFISCATE THE ASSETS. HE SAID THAT THE NLA WAS CONCERNED THAT THE PROMULGATION OF THE NEW CONSTITUTION WILL VOID THE ARTICLE 17 POWERS AND THE FROZEN ASSETS WOULD REVERT BACK TO THE OWNERS. (COMMENT: SOMKHIT IS FULLY AWARE OF THE POLITICAL MILEAGE HE ACHIEVES IN CATERING TO THE POPULAR MOOD FAVORING CONFISCATION.)

3. SOMKHIT ALSO SUGGESTED THAT THE CABINET BROUGHT THE CONFIDENTIAL

CONFIDENTIAL

PAGE 03 BANGKO 12409 010406Z

ISSUE UPON ITSELF BY IGNORING THE ASSEMBLY AND NOT PAYING ATTENTION TO ITS DELIBERATIONS. (COMMENT: THE CABINET REPORTEDLY INCONCLUSIVELY DISCUSSED THE POSSIBILITY OF NLA ACTION CONCERNING THE TRIO'S ASSETS SOME WEEKS AGO. IT ALSO MUST HAVE BEEN AWARE OF THE AGENDA SCHEDULE FOR THE ORIGINAL BILL WHICH FORMER DEMOCRAT PARTY PARLIAMENTARIANS YAI SAWITCHAT AND SURIN MASDIT PROPOSED, BECAUSE IT SENT AN OFFICIAL TO TESTIFY BEFORE THE NLA COMMITTEE WHICH AMENDED THE

BILL BETWEEN ITS FIRST AND SECOND READINGS.)

4. PRIME MINISTER SANYA THAMMASAK AND NATIONAL LEGISLATIVE ASSEMBLY (NLA) SPEAKER M.R. KHUKRIT PRAMOT MET JULY 29 TO DISCUSS POSSIBLE STRATEGIES TO AVOID SANYA'S HAVING TO COMPLY WITH THE ONEROUS (TO SANYA) ASPECTS OF THE LEGISLATION THE ASSEMBLY PASSED JULY 18 (IN KHUKRIT'S ABSENCE). THE PRIME MINISTER OBJECTS TO USING ARTICLE 17 POWERS TO CONFISCATE ALL THE ASSETS OF THE OUSTED LEADERS, BECAUSE IT OFFENDS HIS PREOCCUPATION WITH DUE PROCESS OF LAW. SANYA ONLY WANTS TO ATTACH THOSE ASSETS WHICH WERE ILLEGALLY ACQUIRED (ALTHOUGH HE MUST KNOW THAT EVEN SOLOMON'S WISDOM MAY NOT BE SUFFICIENT TO DIFFERENTIATE). KHUKRIT REPORTEDLY PRESENTED FIVE OPTIONS TO SANYA (REF B AND C). THE NEWSPAPERS HAVE REPORTED ANY NUMBER OF OTHER VIABLE ALTERNATIVES TO RESIGNATION (REF D).

5. AS IS COMMON IN CONTEMPORARY THAI POLITICS, SPECULATION QUICKLY ROSE, AFTER THE NLA PASSED THE BILL, THAT PRIME MINISTER SANYA WOULD RESIGN. THE SWIRL OF RESIGNATION RUMORS MAINTAINED THE MOMENTUM OVER THE WEEKEND (REFS E AND F). PRIME MINISTER SANYA THAMMASAK GAVE THEM IMPETUS WITH A LETTER HE REPORTEDLY SENT TO EACH OF THE CABINET MEMBERS HINTING AT THE POSSIBILITY OF RESIGNATION (REF G) ALTHOUGH HE HAS DIRECTLY DENIED CONSIDERING RESIGNATION (REF H). NEVERTHELESS, STATEMENTS FROM NLA SPEAKER KHUKRIT PRAMOT AND DEPUTY PRIME MINISTER PRAKOB HUTASING (REF I) STOKED THE FIRES.

COMMENT

6. ALTHOUGH NO STUDENT GROUPS HAVE YET COMMENTED ON THE TRIO ASSETS ISSUE, THE NEWSPAPERS HAVE GIVEN CONSIDERABLE CONFIDENTIAL

CONFIDENTIAL

PAGE 04 BANGKO 12409 010406Z

PLAY TO THE IMPASSE THE BILL HAS CREATED. THE BILL IS POPULAR BECAUSE IT CONFIRMS WITH THE ANTI-MILITARY MOOD IN SOME QUARTERS OF THE KINGDOM AS WELL AS THE BIAS AGAINST HIGH-LEVEL CORRUPTION. THE MILITARY WHICH PROFITED UNDER THE THANOM REGIME ARE UNDERSTANDABLY

CONCERNED THAT THE NLA ACTION SETS A DANGEROUS PRECEDENT (REF J), AND

MAY INITIATE A GENERAL SEIZURE OF PROPERTY IF THE FLOODGATE ARE EVER OPENED.

7. TOTAL CONFISCATION OF ALL THE TRIO'S ASSETS SEEMS OUT OF THE QUESTION BECAUSE IT GOES AGAINST SANYA'S DESIRES. SANYA WILL PROBABLY DEVISE SOME ESCAPE FORM THIS EMBROGLIO WHICH MAINTAINS SANYA'S JUDICIAL INTEGRITY INTACT, LEAVES THE TRIO SOME PROPERTY, AND ALLOWS THE

GOVERNMENT TO TAKE MOST OF IT, PERHAPS, AS PAYMENT FOR BACK TAXES.

8. SANYA AND THE CABINET'S PROBLEM IS NOT THAT THEY AND THE LEGISLATURE ARE AT LOGGER-HEADS, BUT RATHER THAT THE CABINET IS NOT STAYING ON TOP OF NLA ACTIVITIES. THE SANYA GOVERNMENT HAS NOT PROVIDED GUIDANCE FOR LEGISLATION THE CABINET FAVORS NOR SIDETRACKED LEGISLATION IT OPPOSES. IN THE CASE OF THE LEGISLATION DEALING WITH THE TRIO'S ASSETS, THE CABINET SIMPLY IGNORED THE LEGISLATURE'S CONTEMPLATED INDEPENDENT ACTION. THE NLA'S FLEET-FOOTED INITIATIVE IN THIS EXERCISE HAS UNDERSCORED ITS VIGOR AND STRENGTH AS A MAJOR DECISION-MAKING BODY IN CONTEMPORARY THAILAND.

KINTNER

CONFIDENTIAL

NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** CABINET, LAW, CORRUPTION, ASSETS, CENTRAL LEGISLATURE, POLITICAL LEADERS, PERSONNEL RESIGNATIONS, THEFTS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 01 AUG 1974  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** boyleja  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1974BANGKO12409  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** GS  
**Errors:** N/A  
**Film Number:** D740209-0259  
**From:** BANGKOK  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1974/newtext/t19740883/aaaactsi.tel  
**Line Count:** 185  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Office:** ACTION EA  
**Original Classification:** CONFIDENTIAL  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 4  
**Previous Channel Indicators:** n/a  
**Previous Classification:** CONFIDENTIAL  
**Previous Handling Restrictions:** n/a  
**Reference:** A) FBIS D310230Z JULY 74  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** boyleja  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 12 AUG 2002  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <12-Aug-2002 by izenbei0>; APPROVED <25 FEB 2003 by boyleja>  
**Review Markings:**

Declassified/Released  
US Department of State  
EO Systematic Review  
30 JUN 2005

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** GOVERNMENT STABILITY AND THE TRIO ASSETS ISSUE  
**TAGS:** PGOV, PINT, TH, NLA, NATIONAL LEGISLATIVE ASSEMBLY  
**To:** STATE  
**Type:** TE  
**Markings:** Declassified/Released US Department of State EO Systematic Review 30 JUN 2005